



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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Washington, D.C. 20231

mjm

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/263,114 03/05/99 YEH

G 003971.P003

EXAMINER

HARRISON, C

ART UNIT

PAPER NUMBER

2672

DATE MAILED:

6.6.01

THIEN T NGUYEN
BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
7TH FLOOR
LOS ANGELES CA 90025

TM02/0223

RECEIVED
APR 01 2002

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
LOS ANGELES

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

(703) 305-4723
Jeffrey Brier

EXHIBIT B



9200/2672 *TDAR* #10

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PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

RECEIVED TRANSMITTAL FORM JUL 10 2002 DIRECTOR OFFICE TECHNOLOGY CENTER 2600	Application No.	09/263,114	
	Filing Date	March 5, 1999	
	First Named Inventor	Gerard K. Yeh	
	Group Art Unit	2672	
	Examiner Name	Chante E. Harrison	
Total Number of Pages in This Submission	9	Attorney Docket Number	3971P003

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<div>Petition to Withdraw...with Exhibits A and B</div>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Thien T. Nguyen, Reg. No. 43,835 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	<i>Thien T. Nguyen</i>
Date	June 11, 2002

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on: June 11, 2002			
Typed or printed name	Eric Hoover		
Signature	<i>Eric Hoover</i>	Date	June 11, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	09/263,114
Filing Date	March 5, 1999
First Named Inventor	Gerard K. Yeh
Examiner Name	Chante E. Harrison
Group/Art Unit	2672
Attorney Docket No.	3971P003

METHOD OF PAYMENT (check one)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of the application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES

Total Claims = X =
Independent Claims = X =
Multiple Dependent =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple Dependent claim, if not paid	
109	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

**or number previously paid, if greater, For Reissues, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920 *	112	920 *	Requesting publication of SIR prior to Examiner action	
113	1,840 *	113	1,840 *	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
* Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Thien T. Nguyen	Registration No. (Attorney/Agent)	43,835	Telephone	(714) 557-3800
Signature		Date	06/11/02		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.



Our Docket No.: 003971.P003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

GERARD K. YEH et al.

Application No.: 09/263,114

Filed: March 5, 1999

Confirmation No. 1407

For: **METHOD AND APPARATUS FOR
PROCESSING VIDEO AND
GRAPHICS DATA TO CREATE A
COMPOSITE OUTPUT IMAGE
HAVING INDEPENDENT AND
SEPARATE LAYERS OF VIDEO
AND GRAPHICS DISPLAY
PLANES**

Examiner: C. Harrison

Art Group: 2672

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE
TO RECEIVE OFFICE ACTION**

BOX DAC
Assistant Commissioner for Patents
Washington, DC 20231-9999

Sir:

1. Applicants petition to withdraw the holding of abandonment of the above-identified application under MPEP §§ 711.02, 711.03(c).
2. On April 1, 2002, our office received an Office Action from the United States Patent and Trademark Office (USPTO) for the above-identified application without a mailing date printed on the cover page of this Office Action. Because there was no mailing date printed on this Office Action, our office called the USPTO and inquired about the mailing date of this

Office Action. Our office was told that the mailing date of this Office Action was June 6, 2001, even though our office did not receive this Office Action until April 1, 2002.

3. On April 15, 2002, our office received a Notice of Abandonment from the United States Patent and Trademark Office (USPTO) that was mailed on April 9, 2002. The Notice of Abandonment alleged that the subject application was abandoned because Applicants had failed to timely file a proper response to the Office Action mailed on June 6, 2001 (hereinafter referred to as the "June 2001 Office Action").

4. However, as stated above, our office never received the June 2001 Office Action until April 1, 2002. A review of the file and docket records clearly indicates that the June 2001 Office Action was never received by our office until April 1, 2002.

5. All correspondences received by our office from the USPTO, including Office Actions, are immediately docketed by our docketing department. The response to the June 2001 Office Action would have been docketed for July 6, 2001 under docket number 03971.P003 had it been received by our office before July 6, 2001.

6. Enclosed herewith is Exhibit A, which contains blacked-out copies of the dockets for the undersigned attorney, who is responsible for the prosecution of this case. As it can be seen from Exhibit A, the dockets for the undersigned attorney do not include any entry indicating that the above-identified Office Action was received and/or a response was due.

7. Also enclosed herein is Exhibit B which is a copy of the cover page of the June 2001 Office Action, which was received in our office on April 1, 2002. It can be seen that there was no mailing date printed on the cover page of the June 2001 Office Action. It can also be seen that the date on which the June 2001 Office Action was received in our office, i.e., April 1, 2002, was stamped on the cover page of the Office Action.

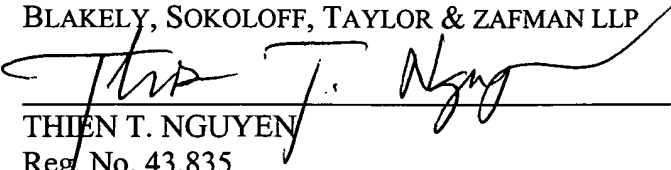
8. Applicants respectfully request withdrawal of the holding of abandonment because the June 2001 Office Action was never received in our office until April 1, 2002.

9. Please charge any petition fees due to Deposit Account 02-2666. A duplicate of this sheet is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

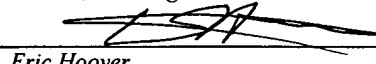
Dated: June 11, 2002


THIEN T. NGUYEN
Reg. No. 43,835

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025
(714) 557-3800

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on: June 11, 2002.


Eric Hoover

06/11/02
Date

Docket

6/11/2002

<u>Atty</u>	<u>Docket No.</u>	<u>Client Name</u>	<u>Country</u>	<u>Reference Number</u>
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Tuesday, July 3, 2001

ALM TTN	04239.P003	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

EHT TTN	42390.P7538	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Wednesday, July 4, 2001

ALM TTN	04239.P003PCT	[REDACTED]	[REDACTED]	[REDACTED]
MJM SKW	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

ALM TTN	04239.P003PCT	[REDACTED]	[REDACTED]	[REDACTED]
MJM SKW	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

ALM TTN	04239.P003PCT	[REDACTED]	[REDACTED]	[REDACTED]
MJM	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

ALM TTN	04423.P002	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

EHT TTN	42390.P7538PCT	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

BEST AVAILABLE COPY

EXHIBIT A

Docket

6/11/2002

<u>Atty</u>	<u>Docket No.</u>	<u>Client Name</u>	<u>Country</u>	<u>Reference Number</u>
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Thursday, July 5, 2001

EHT MJM 42390.P7027
TTN

Friday, July 6, 2001

EHT TTN 42390.P4345XPCT

Sunday, July 8, 2001

EHT TTN 42390.P8870

Wednesday, July 11, 2001

EHT TTN 42390.P9658PCT

Friday, July 13, 2001

EHT TTN 42390.P6963

Saturday, July 14, 2001

JHS SKW 04035.P002PCT
TTN

JHS SKW 04035.P002PCT
TTN

EXHIBIT A